

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,

v.

HAGOP DEMIRJIAN.

No. 97 CR 789-3
Judge James B. Zagel

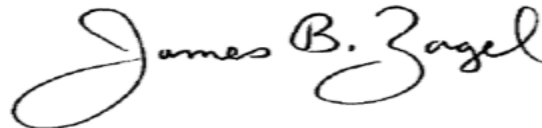
MEMORANDUM OPINION AND ORDER

The defendant seeks a reduction of sentence. He went to trial and was found guilty of participating in a large drug conspiracy. He ran a storehouse for cocaine helping with handling 600 kilos of cocaine. He was the man who found a townhouse where cocaine could be stored. He paid the homeowner's unpaid mortgage and association fees. Demirjian helped unload the 600 kilos and store it in the basement. The guideline range was 360 months to life in prison.

Amendment 782 does not work out for Defendant. He cannot benefit because it does not lower the applicable guideline range. There is no different sentencing range other than the one under which he was sentenced. The evidence showed clearly that the amount of drugs with which he was dealing was 600 kilograms. He was at level 38 when he was sentenced, and it is his level now. The defendant places his emphasis on the fact that he was indicted for 175 kilos of powder cocaine and not 600 kilos. But, the prosecution can try to prove that the powder cocaine was larger than stated in the indictment. If it is proven (as it was in this case) that the powder cocaine with which Defendant was dealing was 600 kilos and not only 175 kilos, the Court can base its sentence, in part, on the fact that the cocaine in question was 600 kilos.

I have no authority to reduce the sentence I imposed. I deny Defendant's motion for reduction of sentence.

ENTER:



James B. Zagel
United States District Judge

DATE: January 21, 2016